

Attorney Docket No. BSCU-006/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Barry N. Gellman

Serial No.: 10/020,345

Examiner: Uyen T. Ho

Confirmation No.: 7658

Art Unit: 3731

Filed: December 14, 2001

For: **DILATION CATHETER ASSEMBLY AND RELATED METHODS**

U.S. Patent and Trademark Office
220 20th Street South
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TRANSMITTAL OF RESPONSE

Enclosed are the following documents in response to the Office Action mailed April 7, 2004 for the above-identified application:

- ☒ Reply and Amendment Under 37 C.F.R. 1.111
- ☐ Petition for Extension of Time
- ☐ Request for Approval of Drawing Changes
- ☒ Information Disclosure Statement
- ☐ Copy of the Terminal Disclaimer
- ☐ Executed Acknowledgement
- ☐ Notice of Appeal
- ☐ Associate Power
- ☐ Revocation and New Power
- ☐ Request for Change of Attorney Docket Number
- ☐ Change of Address
- ☒ Return receipt postcard
- ☒ Check in the amount of **\$180.00** for the total fee as calculated below
- ☐ Other:

The fee has been calculated as follows:

	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY FILED	EXTRA CLAIMS	RATE	FEE
Total Claims	44	- 52 =	0	x \$18.00	\$0.00
Independent Claims	2	- 4 =	0	x \$86.00	\$0.00
If multiple dependent claims are presented, add \$290.00					
Total Amendment Fee					\$0.00
If small entity status is applicable, subtract 50% of Total Amendment Fee					
Other fees: (specify) Information Disclosure Statement					180.00
TOTAL FEE DUE					\$180.00

☒ A check for the total fee is attached.

☐ Please charge \$ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

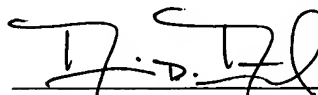
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: July 7, 2004

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Respectfully submitted,
COOLEY GODWARD LLP

By:


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Attorney Docket No. BSCU-006/00US

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98 because this application was filed after June 30, 2003.
- ☐ Publication(s) ____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to ____ application serial no. and mailed on ____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

07/12/2004 MBERHE 00000031 10020345

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- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(c), but on or before the payment of the issue fee.

In accordance with 37 C.F.R. §1.97(d) also enclosed is:

- ☒ Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00;
- ☐ Statement as specified in 37 C.F.R. §1.97(e):
 - ☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
 - ☒ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

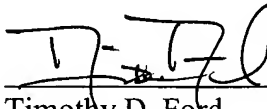
Dated: July 7, 2004

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Respectfully submitted,
COOLEY GODWARD LLP

By:



Timothy D. Ford
Reg. No. 47,567



Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/020,345
				Filing Date	December 14, 2001
				First Named Inventor	Barry N. Gellman
				Group Art Unit	3731
				Examiner Name	Uyen T. Ho
Sheet	1	of	1	Attorney Docket Number	BSCU-006/00US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
		5,846,247		Unsworth et al.	Dec. 8, 1998
		6,712,771 B2		Haddock et al.	Mar. 30, 2004

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.